

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

JOHN MALCOLM STEWART,
ID # 37444-086,

vs.

MAUREEN CRUZ, Warden,
Respondent.

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No. 3:10-CV-0538-K

ORDER ACCEPTING FINDINGS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE

After reviewing all relevant matters of record in this case, including the Findings, Conclusions, and Recommendation of the United States Magistrate Judge and the Petitioner's Objections filed on March 30, 2010, in accordance with 28 U.S.C. § 636(b)(1), the undersigned District Judge is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court. Petitioner's Notice of Appeal With Objections to Findings, Conclusions, and Recommendations, filed on March 30, 2010, are hereby **OVERRULED**.

In the event that petitioner files a notice of appeal, he is informed that he must pay the \$455.00 appellate filing fee or submit a motion to proceed *in forma pauperis* that is accompanied by a properly signed certificate of inmate trust account.

SIGNED this 1st day of April, 2010.



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UNITED STATES DISTRICT JUDGE